

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

JOSE ERBO,

Defendant.

No. 97-CR-1105 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:


The Court is in receipt of Defendant Jose Erbo's motion for appointment of counsel, in connection with his reply to the Government's response to his motion for a sentence reduction and compassionate release, pursuant to 18 U.S.C. 3852(c)(1)(A). (Dkt. no. 352.) While there is no statutory right to counsel under the Criminal Justice Act (CJA) in connection with a § 3582(c) motion, the provision of counsel for such motions rests in the discretion of the Court. United States v. Cirineo, 372 F. App'x 178, 179 (2d Cir. 2010). The Court hereby appoints Avraham C. Moskowitz as CJA counsel to represent Mr. Erbo in the above-captioned case.

The Government is reminded of the Court's order dated February 10, 2025, setting yesterday, March 10, 2025, as the deadline for the Government to respond to Mr. Erbo's motion. (Dkt. no. 349.) The Government shall respond to Mr. Erbo's motion no later than March 26, 2025. Mr. Erbo's reply shall be due 30 days from the

date on which the Government files its response. The Clerk of the Court shall mail a copy of this Order to Mr. Erbo.

**SO ORDERED.**

Dated: March 12, 2025  
New York, New York

  
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LORETTA A. PRESKA  
Senior United States District Judge